

SB089_L.009

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB20-089 be amended as follows:

1 Amend the Education Committee Report, dated January 29, 2020, page
2 1, after line 8 insert:

3 "Page 7 of the printed bill, after line 12 insert:

4 "(12) "TOTAL PROGRAM FUNDING" MEANS:

5 (a) FOR A SCHOOL DISTRICT, THE AMOUNT OF TOTAL PROGRAM
6 FUNDING CALCULATED ANNUALLY PURSUANT TO SECTION 22-54-104 (2)
7 FOR THE SCHOOL DISTRICT;

8 (b) FOR A CHARTER SCHOOL THAT IS AUTHORIZED BY A SCHOOL
9 DISTRICT, THE AMOUNT OF TOTAL PROGRAM FUNDING CALCULATED
10 ANNUALLY PURSUANT TO SECTION 22-54-104 (2) FOR THE AUTHORIZING
11 SCHOOL DISTRICT; AND

12 (c) FOR AN INSTITUTE CHARTER SCHOOL OR A SCHOOL OPERATED
13 BY A BOARD OF COOPERATIVE SERVICES, THE AMOUNT OF TOTAL PROGRAM
14 FUNDING CALCULATED ANNUALLY PURSUANT TO SECTION 22-54-104 (2)
15 FOR THE SCHOOL DISTRICT IN WHICH THE SCHOOL IS LOCATED."

16 Page 8 of the printed bill, line 21, strike "AND".

17 Page 1 of the committee report, after line 16 insert:

18 "Page 10 of the printed bill, line 23, after "(3)" insert "(a)".

19 Page 10 of the printed bill, strike lines 25 through 26 and substitute:

20 "SELECT FIRST THOSE APPLICANTS THAT ARE IN EXTREME FINANCIAL NEED.
21 AN APPLICANT IS DEEMED TO BE IN EXTREME FINANCIAL NEED IF:

22 (I) THE APPLICANT REALIZES THE FULL AMOUNT OF REDUCTION IN
23 ITS TOTAL PROGRAM FUNDING AS A RESULT OF THE BUDGET STABILIZATION
24 FACTOR CALCULATED PURSUANT TO SECTION 22-54-104 (5)(g) FOR THE
25 BUDGET YEAR OF APPLICATION AND EACH OF THE THREE PRECEDING
26 BUDGET YEARS;

27 (II) THE APPLICANT IS A SCHOOL DISTRICT, OR A CHARTER SCHOOL
28 OF A SCHOOL DISTRICT, AND THE TOTAL AMOUNT OF ADDITIONAL LOCAL
29 REVENUE THAT THE SCHOOL DISTRICT ANNUALLY RECEIVES FROM THE
30 PROPERTY TAX MILL LEVIES APPROVED PURSUANT TO SECTION 22-40-102
31 (1.5) OR (1.7), 22-54-107.5, 22-54-108, 22-54-108.5, OR 22-54-108.7 AS
32 OF THE BUDGET YEAR OF APPLICATION IS LESS THAN FIVE PERCENT OF THE
33 SCHOOL DISTRICT'S TOTAL PROGRAM FUNDING FOR THE BUDGET YEAR OF
34 APPLICATION OR THE AMOUNT OF ADDITIONAL REVENUE THAT THE
35 CHARTER SCHOOL RECEIVES FROM THE SCHOOL DISTRICT IS LESS THAN
36 FIVE PERCENT OF THE CHARTER SCHOOL'S TOTAL PROGRAM FUNDING;

1 (III) THE APPLICANT IS AN INSTITUTE CHARTER SCHOOL AND THE
2 AMOUNT THAT THE APPLICANT RECEIVES FROM THE MILL LEVY
3 EQUALIZATION FUND PURSUANT TO SECTION 22-30.5-513.1 IS LESS THAN
4 FIVE PERCENT OF THE APPLICANT'S TOTAL PROGRAM FUNDING FOR THE
5 BUDGET YEAR OF APPLICATION; AND

6 (IV) FOR THE BUDGET YEAR OF APPLICATION AND EACH OF THE
7 THREE PRECEDING BUDGET YEARS, THE APPLICANT RECEIVES AN AMOUNT
8 OF REVENUE FROM PRIVATE GIFTS, GRANTS, OR DONATIONS THAT IS LESS
9 THAN TEN PERCENT OF THE APPLICANT'S TOTAL PROGRAM FUNDING. IF THE
10 APPLICANT IS A MEMBER OF A CHARTER SCHOOL NETWORK, ANY REVENUE
11 THAT THE APPLICANT RECEIVES FROM THE CHARTER SCHOOL NETWORK IS
12 INCLUDED AS REVENUE FROM PRIVATE GIFTS, GRANTS, OR DONATIONS.

13 (b) IF THE AMOUNT APPROPRIATED FOR THE PROGRAM IS
14 INSUFFICIENT TO FULLY FUND ALL OF THE APPLICANTS WHO ARE DEEMED
15 TO BE IN EXTREME FINANCIAL NEED AS DESCRIBED IN SUBSECTION (3)(a)
16 OF THIS SECTION, THE DEPARTMENT AND THE STATE BOARD SHALL
17 PRIORITIZE THOSE APPLICANTS BASED ON THE CRITERIA SPECIFIED IN
18 SUBSECTION (4) OF THIS SECTION.

19 (4) IF ALL OF THE APPLICANTS THAT ARE DEEMED TO BE IN
20 EXTREME FINANCIAL NEED AS DESCRIBED IN SUBSECTION (3)(a) OF THIS
21 SECTION ARE PARTICIPATING IN THE PROGRAM, THE DEPARTMENT AND THE
22 STATE BOARD SHALL PRIORITIZE AMONG THE REMAINING APPLICANTS
23 THOSE APPLICANTS THAT DEMONSTRATE THE GREATEST FINANCIAL NEED,
24 WHICH THE DEPARTMENT AND THE STATE BOARD SHALL DETERMINE BY
25 APPLYING THE FOLLOWING MINIMUM CRITERIA:".

26 Page 11 of the printed bill, line 1, strike "NUMBER" and substitute
27 "PERCENTAGE".

28 Page 11 of the printed bill, line 3, strike "AMOUNT;" and substitute
29 "AMOUNT IS HIGH RELATIVE TO OTHER APPLICANTS;".

30 Page 11 of the printed bill, line 5, strike "NUMBER" and substitute
31 "PERCENTAGE".

32 Page 11 of the printed bill, line 7, strike "AMOUNT;" and substitute
33 "AMOUNT IS HIGH RELATIVE TO OTHER APPLICANTS;".

34 Page 11 of the printed bill, line 10, strike "APPLICANT'S" and substitute
35 "APPLICANT HAS LIMITED".

36 Page 11 of the printed bill, line 16, strike "YEARS;" and substitute "YEARS
37 IS LOW RELATIVE TO OTHER APPLICANTS;".

1 Page 2 of the committee report, strike line 1 and substitute:

2 "Page 11 of the printed bill, strike line 17 and substitute:

3 "(e) RELATIVE TO OTHER APPLICANTS, THE APPLICANT RECEIVES
4 A LOW AMOUNT ANNUALLY FROM".

5 Page 11 of the printed bill, lines 18 and 19, strike "WHETHER THE
6 APPLICANT IS" and substitute "THE APPLICANT IS NOT".

7 Page 2 of the committee report, after line 2 insert:

8 "Page 11 of the printed bill, strike lines 21 through 25 and substitute:

9 "(f) RELATIVE TO OTHER APPLICANTS, THE APPLICANT MAINTAINS
10 A LARGE AMOUNT OF RESERVES THAT ARE NOT COMMITTED TO A SPECIFIC
11 USE OR PROJECT, NOT INCLUDING THE RESERVE REQUIRED BY SECTION 20
12 (5) OF ARTICLE X OF THE STATE CONSTITUTION, OR THE APPLICANT
13 CARRIES OVER A LARGE AMOUNT OF UNEXPENDED AND UNCOMMITTED
14 MONEY FROM ONE BUDGET YEAR TO THE NEXT BUDGET YEAR.".

15 Page 2 of the committee report, line 13, strike "(2)(g)." and substitute
16 "(2)(h).".

** ** ** ** **